

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

UNITED STATES OF AMERICA )  
v. ) Case No. 2:06-cr-0084-VPM  
DOROTHY J. SPALDING )

## **UNOPPOSED MOTION TO CONTINUE TRIAL**

**COMES NOW** Defendant Dorothy J. Spalding, by and through counsel, and respectfully moves for a continuance of the trial of this matter, presently scheduled for the July 17, 2006, misdemeanor trial term. In support of this motion, counsel will show:

1. This matter is presently set for trial on July 17, 2006, before the Honorable Vanzetta P. McPherson.

2. Plea negotiations between the Defendant and the Government have progressed satisfactorily and the parties agree that the Defendant is an appropriate candidate for the pretrial diversion program and that prudent use of prosecutorial and judicial resources dictate the Defendant be diverted from traditional criminal justice processing. As such, the Defendant requires an interview and investigation by Pretrial Services for their recommendation.

3. Counsel for the government concurs with the filing of this motion and has no objections to a continuance. Neither party will be prejudiced by such a delay.

4. A Waiver of Speedy Trial Act has been filed contemporaneously with the filing of this motion.

WHEREFORE, Defendant Dorothy J. Spalding respectfully requests the Court continue this matter for the reasons stated herein.

s/John M. Poti

**JOHN M. POTI (POT013)**

Attorney for Dorothy J. Spalding  
696 N. Silver Hills Drive, Suite 102  
Prattville, AL 36066-6184  
TEL: (334) 361-3535  
FAX: 1-866-780-9012  
E-mail: john@jmpoti.com

**CERTIFICATE OF SERVICE**

I hereby certify that on July 10, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Kent Brunson, Neal Frazier, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: none.

s/John M. Poti

**JOHN M. POTI (POT013)**

Attorney for Dorothy J. Spalding  
696 N. Silver Hills Drive, Suite 102  
Prattville, Alabama 36066-6184  
TEL: (334) 361-3535  
FAX: 1-866-780-9012  
E-mail: john@jmpoti.com